

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RONNIE COLE,

Plaintiff,

v.

ORDER
08-CV-699

BRIAN FISCHER, et al.,

Defendants.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1), on May 1, 2009. On June 11, 2009, plaintiff filed a motion for partial summary judgment. On July 10, 2009, Magistrate Judge Scott filed a Report and Recommendation, recommending that plaintiff's motion be denied.

Plaintiff filed objections to the Report and Recommendation on July 27, 2009.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, plaintiff's motion for summary judgment is denied.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: July 29, 2009